

Appl. No. 10/800,555  
Amdt. dated 06/29/2005  
Response to Office Action of 03/30/2005

Attorney Docket No.: N1085-00267  
TSMC2003-1135

### REMARKS/ARGUMENTS

Claims 1-18 were previously pending in this application and claim 19 is hereby added. Each of claims 1-18 has been rejected. Claims 1, 11 and 15 are hereby amended and Applicants respectfully request re-examination, reconsideration and allowance of each of pending claims 1-19.

In paragraph 2 of the subject Office Action, claims 1-18 were rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Hendricks, USPN 5,826,345. These claim rejections are overcome for reasons set forth below.

Claims 1-18 include independent claims 1, 11, and 17. The present invention provides the advantage of a compact, parallel ruler. The top surface of the measurement device is parallel to the surface it is used to measure and over which it is positioned to perform the measurement. Moreover, the measurement devices – the gauges and measurement indicators, do not extend above the upper surface of the flat part of the ruler enabling the device to be utilized in tight quarters with minimal clearance. In other words, the gauges and measurement indicators are disposed within or beneath the flat part. This feature increases the versatility of the claimed measurement device. In particular, independent device claim 1 has been amended and now recites the feature of:

a plurality of gauges disposed in the flat portion and not extending above the upper surface.

Similarly, independent method claim 11 has been amended and now recites the feature of:

disposing a parallel ruler over a plane, the parallel ruler comprising a frame and a plurality of gauges disposed in a flat portion of the frame, the gauges including measurement indicators that do not extend above an upper surface of the flat portion.

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Independent claim 17 has also been amended. As amended, independent claim 17 recites the feature of:

5           the parallel ruler comprising a . . . . plurality of gauges disposed in a flat portion of the gauge house hosting structure, the gauges including measurement indicators that do not extend above a planar upper surface of the flat portion.

10           In contrast, the gauges, 12a-12d of Hendricks necessarily extend above the top surface of platform 40 which is disposed on flat portion 34. The level detectors 12 of Hendricks include an arm 28 that extends through the flat portion. Clearly, arm 28 and housing 30 of level detector 12 of Hendricks, necessarily extend significantly above the top surface of the flat portion of Hendricks' device. The indicators 32 of Hendricks face laterally and must therefore extend above the upper surface to be read. Hendricks does not even suggest any further types of level detectors 12. Since each of amended  
15 independent 1, 11, and 17 recite the feature that the gauge does not extend above the upper surface of the flat portion, the claimed invention includes features not disclosed or even suggested by Hendricks, as they provide the advantage of a compact measuring device with a low profile adapted for use in tighter quarters.

20           The rejection of independent claims 1, 11, and 17 under 35 U.S.C. § 102(b) as being anticipated by Hendricks should therefore be withdrawn. By reason of their dependency from the amended independent claims distinguished as above, each of dependent claims 2-10, 12-16 and 18 are also distinguished from Hendricks and therefore the rejection of these claims under 35 U.S.C. § 102(b) should similarly be withdrawn.

25           Claim 19 has been added to point out further distinguishing combinations of features of the Applicants' invention. Applicants respectfully believe that new claim 19 is distinguished from, and allowable over, the references of record.

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**CONCLUSION**

Based on the foregoing, each of claims 1-19 is in allowable form and the application therefore in condition for allowance, which action is expeditiously and respectfully requested.

- 5        The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

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Respectfully submitted,



Dated: June 29, 2005

Mark J. Marcelli, Reg. No. 36,593  
Attorney for Applicants

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20        DUANE MORRIS LLP  
101 West Broadway, Suite 900  
San Diego, CA 92101  
Telephone: (619) 744-2200  
Facsimile: (619) 744-2201

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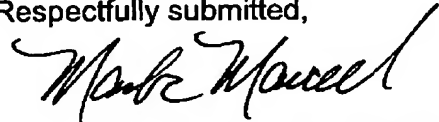
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